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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Southern California Edison Company (U 338-E) for a Certificate of Public Convenience and Necessity Concerning the Antelope-Pardee 500 kV (Segment 1) Transmission Project as Required by Decision 04-06-010 and as Modified by Subsequent Assigned Commissioner Ruling.

Application 04-12-007
(Filed December 9, 2004)

ADMINISTRATIVE LAW JUDGE'S RULING GRANTING AN EXTENSION OF TIME TO COMMENT ON THE DRAFT ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL IMPACT STATEMENT (DRAFT EIR/EIS)

By this application, Southern California Edison Company (SCE) seeks a certificate of public convenience and necessity (CPCN) to construct the Antelope-Pardee 500 kilovolt (kV) Transmission Project to provide additional transmission capacity between the existing Antelope and Pardee substations in Northern Los Angeles County, California. After review and acceptance of the application by the California Public Utilities Commission's Energy Division, a Notice of Preparation of an Environmental Impact Report (EIR) was mailed on June 24, 2005 to 77 federal, State, regional, and local agencies and elected officials. At the same time, the U.S. Department of Agriculture (USDA), Forest Service, as Lead Agency under the National Environmental Policy Act published a Notice of Intent to prepare an Environmental Impact Statement (EIS) in the Federal Register on June 28, 2005. As required by the Commission's General Orders, specifically G.O. 131-D, SCE provided notice of its application to

all owners or property within 300 feet of the proposed project right-of-way and alternatives. In addition, a Notice of Public Scoping Meetings was mailed to property owners in the vicinity of the proposed route and alternatives. The Notice of Public Scoping Meetings was also mailed to community organizations, local interest groups, and individuals who had requested to be notified of activities regarding SCE's proposed project. On July 21, 2006 the California Public Utilities Commission, as Lead Agency under the California Environmental Quality Act (CEQA), and the USDA, Forest Service released a Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) for consideration under the California Environmental Quality Act and the National Environmental Policy Act. The Draft EIR/EIS analyzes SCE's proposed project as well as feasible alternatives to the proposed project, including alternatives identified by SCE and alternatives stemming from the public scoping process. A Notice of Availability of the Draft EIR/EIS was mailed on July 21, 2006 to all property owners within 300 feet of the proposed project right-of-way or within 300 feet of the right-of-way associated with any of the alternatives analyzed in the Draft EIR/EIS.¹ The public was also notified through local and general circulation newspapers.

The Commission and the USDA Forest Service also conducted public meetings within the vicinity of the location of the proposed project on August 28, 29 and 30, 2006 to allow interested parties to review the Draft EIR/EIS and provide oral and written comments regarding the Draft EIR/EIS.

¹ Under this requirement, if the Project Right-of-Way is 180 feet wide, then all property owners within 480 feet of the line would be sent a notice.

Comments on the Draft EIR/EIS are currently due on September 18, 2006. The length of the period allowed for public review and comment on a Draft EIR/EIS is set forth in the CEQA and NEPA regulations, but may be modified as necessary for good cause shown, so long as the modification does not result in violations of other CEQA or NEPA regulations. In response to the Draft EIR/EIS, I have received requests for additional time to submit comments from Region 9 of the United States Environmental Protection Agency (US EPA), members of the local community, affected property owners, and the Leona Valley Town Council. By this ruling, I am extending the time to comment on the Draft EIR/EIS by a period of 15 days. Comments on the Draft EIR/EIS for the Proposed Antelope-Pardee 500 kV Transmission Project will be due on October 3, 2006.

Responses to substantive comments received on the Draft EIR/EIS will be prepared by the Lead Agencies and published in the Final EIR/EIS. In addition, the oral comments received from members of the public at the public meetings on August 28, 29, and 30, 2006 will be considered as part of the record in the preparation of the Final EIR/EIS.

It is important to recognize that the Final EIR/EIS is an informational document only. It does not make a recommendation regarding the approval or denial of the CPCN application, and it does not establish the route for the project. The purpose of the EIR/EIR is to inform both the public and the decision makers of the environmental impacts of the proposed project and alternatives, and to identify, from a purely environmental perspective, a preferred route. In making a final determination on the application, the Commission will consider many other non-environmental factors such as community values, historical and aesthetic values, the existence of recreational and park areas, whether SCE has

demonstrated that the project is needed and whether the proposed cost of the project is reasonable. The Final EIR/EIS will be considered, along with all these other issues, during the preparation of the proposed decision on SCE's application. The identification of an "environmentally superior alternative" in a Draft or Final EIR/EIS does not bind the Commission to approve that alternative. To the contrary, under CEQA, the Commission has the authority to issue a Statement of Overriding Considerations in which the Commission may determine that from the standpoint of good public policy, other factors should take precedence over purely environmental concerns in connection with the Commission's decision on an application that is subject to its approval.

The Commission's decision making process in this case will be consistent with the process it uses in other transmission line application cases. The Assigned Administrative Law Judge will prepare a proposed decision recommending approval or denial of SCE's application, and, if approval is recommended, the proposed decision will recommend the specific route of the project to be approved, based on the entire record presented in the proceeding, including, but not limited to, the environmental information presented in the Final EIR/EIS. Individual commissioners have the option of preparing proposed decisions of their own, referred to as alternate decisions.

Service and Mailing Lists

The official service list for this proceeding is available on the Commission's web site at www.cpuc.ca.gov/published/service_lists/A0412007_68975.htm. In addition to the official service list, the Energy Division maintains a separate environmental review mailing list for the application to address comments on the environmental review process. All persons who filed protests or submitted correspondence to the Commission will be placed on the Energy Division's

environmental review mailing list for this proceeding. If your interest in this proceeding relates to the preferred route of SCE's proposed project, development of alternatives to the proposed project, or other aspects of the environmental review of this project, you should be on the environmental review service list. For additions or changes to the environmental review mailing list, please contact the Energy Division Antelope-Pardee Project Hotline at 661-215-5152.

Comments on environmental documents should not be addressed to the ALJ, the assigned Commissioner, other Commissioners, or filed with the Commission's Docket Office. Comments in the environmental review process do not need to be served on other parties in this case.

Therefore, **IT IS RULED** that:

1. The time to comment on the Draft EIR/EIS described in this ruling is extended until October 3, 2006.
2. Written comments on the Draft EIR/EIS shall be postmarked or received by fax or e-mail by October 3, 2006, and sent to:

John Boccio/Marian Kadota
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c/o Aspen Environmental Group
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Dated September 13, 2006, at San Francisco, California.

/s/ JULIE HALLIGAN
Julie Halligan
Administrative Law Judge

INFORMATION REGARDING SERVICE

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a copy of the filed document to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the copy of the filed document is current as of today's date.

Dated September 13, 2006, at San Francisco, California.

/s/ JANET V. ALVIAR

Janet V. Alviar

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Last Update on 07-SEP-2006 by: SMJ
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